

WTVE TV51 CERTIFICATION OF AFFIDAVIT PERFORMANCE REPORT Page: **

is is to certify that WTVE-TV51 aired the following announcements
at the dates and times shown below (times accurate within 15 minutes):

Title: LEGISLATIVE REPORT W/SHEILA MILLER Length: 30:00 Type: _____
"Civil War Flags"

08/13/94
11:00:00

READING EXHIBIT 33
PAGE 80

WTVE TV51 CERTIFICATION OF AFFIDAVIT PERFORMANCE REPORT Page: **

This is to certify that WTVE-TV51 aired the following announcements
at the dates and times shown below (times accurate within 15 minutes):

Title: LEGISLATIVE REPORT W/REP. DAVID ARGALL Length: 30:00 Type: _____
"Community Revitalization Workshop"

08/28/94
11:30:00

READING EXHIBIT 33
PAGE 81

WTVE TV51 CERTIFICATION OF AFFIDAVIT PERFORMANCE REPORT Page: **

is is to certify that WTVE-TV51 aired the following announcements
at the dates and times shown below (times accurate within 15 minutes):

Title: LEGISLATIVE JOURNAL W/REP. CALTIGIRONE Length: 29:45 Type: 92-05

07/16/94
10:30:00

WTVE TV51 CERTIFICATION OF AFFIDAVIT PERFORMANCE REPORT Page: **

his is to certify that WTVE-TV51 aired the following announcements
at the dates and times shown below (times accurate within 15 minutes):

Title: LEGISLATIVE JOURNAL W/REP. SANTONI Length: 29:52 Type: 92206

07/24/94
10:30:00

WTVE TV51 CERTIFICATION OF AFFIDAVIT PERFORMANCE REPORT Page: **

is is to certify that WTVE-TV51 aired the following announcements
at the dates and times shown below (times accurate within 15 minutes):

Title: LEGISLATIVE JOURNAL W/REP. SANTONI Length: 29:17 Type: 93253

08/06/94
10:30:00

WTVE TV51 CERTIFICATION OF AFFIDAVIT PERFORMANCE REPORT Page: **

This is to certify that WTVE-TV51 aired the following announcements
at the dates and times shown below (times accurate within 15 minutes):

Title: LEGISLATIVE JOURNAL W/REP. ROONEY Length: 29:43 Type: 91-90

08/21/94
11:00:00

WTVE TV51 CERTIFICATION OF AFFIDAVIT PERFORMANCE REPORT Page: **

is is to certify that WTVE-TV51 aired the following announcements
at the dates and times shown below (times accurate within 15 minutes):

Title: LEGISLATIVE JOURNAL W/REP. CALTIGIRONE Length: 29:08 Type: 92-40

08/27/94
11:30:00

WTVE TV51 CERTIFICATION OF AFFIDAVIT PERFORMANCE REPORT Page: **

This is to certify that WTVE-TV51 aired the following announcements
at the dates and times shown below (times accurate within 15 minutes):

Title: LEGISLATIVE JOURNAL W/REP. DANTE SANTONI Length: 29:43 Type: 92-6

09/03/94
11:00:00

This is to certify that WTVE-TV51 aired the following announcements
at the dates and times shown below (times accurate within 15 minutes):

Title: STATE HOUSE PERSPECTIVES Length: 29:00 Type: 242

07/30/94
10:00:00

his is to certify that WTVE-TV51 aired the following announcements
at the dates and times shown below (times accurate within 15 minutes):

Title: STATE HOUSE PERSPECTIVES Length: 29:00 Type: 243

08/21/94
10:30:00

WTVE TV51 CERTIFICATION OF AFFIDAVIT PERFORMANCE REPORT Page: **

is is to certify that WTVE-TV51 aired the following announcements
at the dates and times shown below (times accurate within 15 minutes):

Title: MINORITY VOICES #1 Length: 4:30 Type: PSA
"FORMER CHAMP-STEVE LITTLE #1"

09/21/94
13:17:00

09/22/94
14:17:00

09/23/94
14:17:00

09/24/94
06:17:30
20:17:30

09/25/94
11:30:00
20:17:30

09/27/94
08:17:30
23:17:30

09/28/94
08:17:30
23:17:30

09/29/94
08:17:30

09/30/94
14:17:00
21:17:30

READING EXHIBIT 33
PAGE 90

WTVE TV51 CERTIFICATION OF AFFIDAVIT PERFORMANCE REPORT Page: **

This is to certify that WTVE-TV51 aired the following announcements
on the dates and times shown below (times accurate within 15 minutes):

Title: MINORITY VOICES #2 Length: 4:00 Type: PSA
 "FORMER CHAMP-STEVE LITTLE #2"

09/21/94
21:17:30

09/22/94
23:18:00

09/23/94
23:17:30

09/24/94
13:17:00

09/25/94
13:17:00

09/26/94
14:17:00
23:17:30

09/27/94
13:17:00

09/28/94
13:17:00

09/29/94
20:17:30

30/94
06:18:00

**READING EXHIBIT 33
PAGE 91**

**Exhibit 34 DEPOSITION OF MONICA RUANO-WENRICH
OCTOBER 21, 1999, 4:33 P.M.**

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re Applications of : MM Docket No. 99-153
READING BROADCASTING, INC. :
For Renewal of License of : No. BPCT-940407KF
Station WTVE (TV), Channel 51 :
Reading, Pennsylvania :
and : File No. BPCT-940630KG
ADAMS COMMUNICATIONS CORPORATION:
For Construction Permit for a :
New Television Station to :
Operate on Channel 51, Reading, :
Pennsylvania :

Oral Deposition of MONICA RUANO-WENRICH

APPEARANCES:

HOLLAND & KNIGHT, LLP For Reading Broadcasting,
By: Thomas J. Hutton, Esquire Inc.
2100 Pennsylvania Avenue, N.W.
Suite 400
Washington, D.C. 20037-5564

Berks Court Reporting Service
By: Rachelle D. Hirneisen, RMR
12 Pacific Avenue
Sinking Spring, Pennsylvania
(610) 678-9984

COPY

| | |
|-----------------------------------|---------------|
| Federal Communications Commission | |
| Docket No. | MM-99-153 |
| Presented by | Reading |
| Disposition | Identified |
| Reporter | John Del Pino |
| Date | 6-12-00 |
| | Received |
| | Rejected |
| | ✓ |
| | ✓ |

1 APPEARANCES (Continued):

2 BECHTEL & COLE, CHARTERED For Adams Communications
3 By: Gene A. Bechtel, Esquire
4 1901 L Street, N.W., Suite 250
Washington, D.C. 20036

5 TAKEN AT:

6 Comfort Inn 4:33 p.m.
7 2200 Stacy Drive Thursday,
Reading, Pennsylvania October 21, 1999

8

9

10

I N D E X

11

WITNESS

EXAMINED BY

PAGE

12

Monica Ruano-Wenrich

Mr. Bechtel

3

13

Mr. Hutton

7

14

Mr. Bechtel

12

15

16

EXHIBITS

17

NUMBER

DESCRIPTION

PAGE

18

Wenrich 1

Notice of Deposition

3

19

Wenrich 2

Subpoena

3

20

Wenrich 3

Programs/Issues Reports
3rd Quarter 1989 -
3rd Quarter 1994

7

21

22

Wenrich 4

Packet

11

23

24

25

READING EXHIBIT 34
PAGE 2

MONICA RUANO-WENRICH,

was called as a witness and, having been first duly sworn by the Reporter-Notary Public, was examined and testified as follows:

(Whereupon, the Reporter marked the following exhibits for identification: Wenrich Exhibit No. 1, Notice of Deposition; Wenrich Exhibit No. 2, Subpoena.)

BY MR. BECHTEL:

Q For the record, would you state your name and residence address, please?

A My name is Monica Ruano-Wenrich, and I live at
1003 Coventry Point Lane in Pottstown.

Q My name is Gene Bechtel. I am counsel for Adams Communications Corporation. Mr. Hutton is counsel for Reading Broadcasting Corporation. If any of my questions are unclear, say so. If Mr. Hutton interjects after I ask a question, wait till we get through talking to each other. And if you need a break, let us know, although these proceedings have been going rather quickly.

A Okay.

Q You have in front of you as Deposition Exhibit Number 1 the notice to take a deposition. Is that a copy of the notice that you received?

A Yes.

READING EXHIBIT 34
PAGE 3

1 Q And as Exhibit 2 you have in front of you a copy
2 of the subpoena. Was that served on you?

3 A Yes.

4 Q Now, both of those documents had reserved for
5 you the very highly sought out time of Saturday afternoon.

6 A Yes.

7 Q However, we have agreed to meet today at 4:30?

8 A Yes.

9 Q Okay. How long have you lived in the Reading
10 area?

11 A Most of my life. I was born here.

12 Q And you are active in the United Way; is that
13 correct?

14 A Yes. I'm an employee of the United Way of Berks
15 County.

16 Q And how long have you held that position?

17 A I've been with United Way since July of 1991,
18 and I've been in various jobs since I've been there. My first
19 job was as the volunteer services manager.

20 Q And I'm sorry I didn't hear. Your current
21 position is?

22 A My current position is director of information
23 services. When I first started at United Way I was the
24 volunteer services manager. And from there I moved into
25 finance and I was the finance manager, and then I was just

1 promoted to director of information services.

2 Q The time frame we're interested in as indicated
3 in the notice is 1989 to 1994.

4 A Yes.

5 Q To be precise, August 1 to August 1. Okay. As
6 of August 1994, what position did you hold? If you can.

7 A I was probably in the volunteer -- I was the
8 volunteer services manager then.

9 Q Okay. Are you active in other community
10 organizations or activities?

11 A In -- no, not really. I had served on our
12 townhome association's board of directors. That was last
13 year.

14 Q During our five year period, '89 to '94, did you
15 have a TV set in your house?

16 A Yes, I did.

17 Q Did you have one in your office?

18 A No, I didn't.

19 Q Approximately how much time did you spend
20 watching TV, just general -- general description? And perhaps
21 give us an idea of the types of programs you looked at.

22 A Maybe -- God. I watch an hour -- maybe three
23 hours a day, mainly news after work. Just something to listen
24 to while I'm making dinner.

25 Q All right. And the types?

1 A Dramas mainly. Dramas, comedies.

2 Q News?

3 A News. News shows; CNN.

4 Q I'm sorry. No, no. That's -- I do that to Mrs.
5 Bechtel all the time. All right. I'm going to let you
6 finish, I promise, before I jump in.

7 A That's okay.

8 Q When you watched news, what stations would you
9 watch to get your news?

10 A Philadelphia stations for local news. And
11 national news, Channel 6.

12 Q Did you watch the cable system here in Berks
13 County?

14 A Well, at that time I was -- I lived in Chester
15 County. I was commuting from Chester County and I worked in
16 Berks County. So I never really saw any of the Berks County
17 cable.

18 Q Okay.

19 A I don't believe -- see, I think at that point I
20 lived in -- actually in Exton. So I don't think I got any
21 Berks County cable at that point. Now, in Pottstown, I do
22 think there's some cabling that I get, but it wouldn't be
23 applicable to the time period.

24 Q Well, during that time period, wherever you were
25 living, could you get Channel 51?

1 A No. Because I lived in Chester County, and I
2 believe I was on Suburban Cable. I think it was Suburban -- I
3 don't even remember what the cable company is. But normally,
4 you wouldn't get what I'm going to consider Berks County Cable
5 television in Chester County.

6 Q So while you were working in Reading - - -

7 A Yes.

8 Q - - - you were not living here during that time?

9 A That's correct.

10 Q You commuted?

11 A I commuted.

12 Q The reason you're here is that we want you to
13 share with us for the time frame, this would be from '91 to
14 '94, August of '94, your knowledge of programming on Channel
15 51 serving the community of Reading in the areas with which
16 you were familiar. Now, with that introduction, I'm going to
17 turn you over to Mr. Hutton who has an exhibit and when we go
18 through his exhibit, it sort of organizes that questioning.
19 Okay?

20 MR. HUTTON: This should be marked as Wenrich
21 Exhibit 3.

22 (Whereupon, the Reporter marked Wenrich Exhibit
23 No. 3 for identification, Programs/Issues Reports 3rd Quarter
24 1989 - 3rd Quarter 1994.)

25 BY MR. HUTTON:

**READING EXHIBIT 34
PAGE 7**

1 Q You haven't seen this document before. This is
2 a partial compilation of information from WTVE's quarterly
3 issues and programs reports from the first quarter of 1990
4 through the first quarter of 1994. And in particular, we've
5 made copies of pages that have some pertinence to the United
6 Way. If you turn to the third page of the document, there's a
7 reference to a Berks County United Way public service
8 announcement aired in the first quarter of 1990, and I think
9 that predates your work at the United Way.

10 A Yes, it does.

11 Q Okay. Do you have any knowledge of this public
12 service announcement?

13 A No, I don't.

14 Q Okay. Turning now to the first quarter of 1993,
15 there is a - - -

16 A I'm sorry, first quarter of 1993 or second?

17 Q First quarter.

18 MR. HUTTON: Let me make sure we're working off
19 the same document here.

20 MR. BECHTEL: Yours is different than the one
21 I'm looking at.

22 MR. HUTTON: Here's the copying mix-up. Okay.
23 I will share my document with you, because - - -

24 MR. BECHTEL: Okay. That's -- yeah, that's
25 fine.

**READING EXHIBIT 34
PAGE 8**

1 MR. HUTTON: - - - that relates to another
2 witness.

3 BY MR. HUTTON:

4 Q Now, there's a narrative that appears there at
5 the -- at the -- on a page that's marked Page 2. I'd like you
6 to review that and tell me if that is consistent or
7 inconsistent with your recollection of the matters described
8 there.

9 A (Witness reviewed document.)

10 I'm sorry. Your question again is?

11 Q The question is, is that description consistent
12 or inconsistent with your recollection of the matters
13 described there?

14 A Well, considering it was seven years ago, I
15 think it accurately represents.

16 Q Okay. And at the -- in the last paragraph of
17 that page, it references the production of some public service
18 announcements for the United Way. Were those, in fact,
19 produced?

20 A Yes.

21 Q And to your knowledge, were they aired on WTVE?

22 A Yes.

23 Q Turning now to the second quarter of 1993,
24 there's a narrative which refers to -- this is, on the page
25 marked 35 and continuing onto the next page, which is not

1 paginated, there's a reference to a number of Community
2 Outreach segments. I'd like you to review those narratives
3 and tell me if those are the public service announcements that
4 we just described.

5 A Okay. Well, I can tell you, I had nothing to do
6 with the March of Dimes.

7 Q Right.

8 A The Community Outreach one is fine. I mean, I
9 don't know, I brought some stuff with me from our files - - -

10 Q Oh.

11 A - - - at work. So can I cross-reference those?

12 Q Sure.

13 A And then I made one -- one copy for myself, one
14 copy for you. You guys can fight over the copy, but I'll keep
15 my copy.

16 Q Okay.

17 A Yeah.

18 Q And to your knowledge, are the narrative
19 descriptions appearing in this exhibit accurate reflections of
20 the segments that were produced and aired on WTVE?

21 A Without physically viewing all of those
22 segments, I would say based on the information from the
23 questions that I have in front of me that we asked, it
24 probably sounds correct.

25 Q And then turning now to the first quarter of

1 1994, it appears that those PSAs were again run in that
2 quarter. Would you say that's correct?

3 A The first -- that would have been January,
4 February, March of the following year. I don't know if they
5 were run or not because I didn't see TV -- I mean, Berks TV.
6 But my assumption is that if you reran them from the previous
7 year, it's the same thing. Because I know we didn't do this a
8 second time.

9 MR. HUTTON: Okay. Let's go off the record.

10 (Discussion was held off the record.)

11 (Whereupon, the Reporter marked Wenrich Exhibit
12 No. 4 for identification, Packet.)

13 BY MR. HUTTON:

14 Q All right. Ms. Wenrich, we have identified the
15 documents you brought with you today as Wenrich Exhibit 4, and
16 I'd like you to explain for the record what those documents
17 consist of.

18 A Okay. The first stapled piece of information is
19 just a listing of the volunteer center and its relationship to
20 United Way board. It lists the subcommittees. It lists the
21 duties, responsibilities, membership and leadership of people
22 who sit on the Volunteer Center cabinet.

23 The next piece of information is a meeting
24 agenda and an expanded agenda for the Volunteer Center cabinet
25 dated Tuesday, March 23rd of '93. And in the expanded agenda

1 it talks about how we were going to talk about these TV spots,
2 these ten three-minute news stories. Following that are the
3 meeting minutes from that meeting where we outline that again,
4 I think.

5 The next piece of information is the Volunteer
6 Center cabinet meeting of May 18th. Again, we talk about the
7 expanded agenda, the fact that the spots must have occurred by
8 that point. And then the meeting minutes are behind that.

9 The next is a list of member agencies of the
10 Volunteer Center in 1993. I included that because our
11 volunteer recognition committee, of which is the next piece,
12 there's an agenda there from that meeting. I'm not exactly
13 sure why I have this, but anyway, it's there. From that
14 volunteer recognition committee meeting we decided to, I
15 guess, mail out to our member agencies, which is this sheet of
16 paper (indicating), activities that would occur during
17 National Volunteer Week. And in there we say that TV 51 is
18 going to be producing these spots, these news stories.

19 And then behind that is just the questions that
20 I apparently asked the guests who attended the tapings of the
21 shows.

22 Q I appreciate that. I don't have any other
23 questions for you.

24 MR. BECHTEL: Bear with me just a minute.

25 THE WITNESS: No problem.